CASE OFFICER'S REPORT

Application Reference:	PL/2023/05254
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	31 July 2023
Case officer:	Stefan Galyas

Site Address:	THE OLD POLICE HOUSE, THE STREET, LUCKINGTON, CHIPPENHAM, SN14 6NP
Proposal:	new single storey garden room
Recommendation:	Approve with Conditions

Site Description

The application relates to The Old Police House, a detached two storey dwelling with a large garage outbuilding to the site's northern boundary. The dwellings eastern elevation abuts the roadside and is set to the western side of Bristol Road. The existing dwelling is composed of natural stone walls with a stone tiled roof and painted timber fenestration. The existing dwelling uses a cross pitched roof with varying pitch heights displayed at the southern and eastern elevations. The site contains garden amenity space which wraps around the dwellings northern, western and southern elevations.

The site is located within the settlement of Luckington, identified as a small village by the Wiltshire Core Strategy. There is no defined settlement boundary for Luckington and accordingly, the site is considered to be located within the open countryside for planning purposes.

The site is located within the Luckington Conservation Area and there are several listed buildings located to the north of the site along Bristol Road.

Proposal

Planning permission is sought for the development of a southern elevation, single storey garden room. The garden room would occupy the space currently used as an outside patio area.

External materials would constitute vertical timber cladded walls, an artificial stone tiled roof and painted timber windows and doors.

The proposal would be 5.6m in length, 5.7m in width, have an eaves height of 2.4m and a ridge height of 5.3m.

Policies

Local Context:

Wiltshire Core Strategy (WCS) Adopted 2015

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 13 – Malmesbury Community Area

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Core Policy 58 – Ensuring Conservation of the Historic Environment

Wiltshire Draft Design Guide 2023

National Context:
National Planning Policy Framework (NPPF) 2021
Paragraph 2: Achieving Sustainable Development
Paragraph 47: Determination in Accordance with the Development Plan
Paragraphs 110-112: Consideration of Development Proposals
Paragraph 126: Good Design
Paragraph 130: Function and Form of Development
Paragraph 194: Description of Heritage Assets Affected
Paragraph 195: Identification of the Heritage Assets Significance
Paragraph 197: Conservation Areas Determination

Planning Listed Buildings and Conservation Areas Act Adopted 1990
Section 66(1) – Special regard to the preservation of a historic building or its setting
Section 72(1) – Special attention to be paid towards the preservation and enhancement of a Conservation Area

National Design Guide 2021

Assessment
Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications be made in accordance with the Development Plan unless material considerations indicate otherwise.
Sections 66 and 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the local planning authority, in considering whether to grant planning permission and listed building consent respectively, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area in which the building and land are situated.

Key Issues
Principle of Development
Impact on the Character and Appearance of the Area Including Heritage Assets
Impact on Residential Amenity

Relevant Planning History
N/09/00413/FUL - Extension and Alterations to Dwelling. Approved with conditions 30/04/09.

Consultation Responses
Luckington Parish Council: No Objection.

Representations
There were no representations received in response to the application.

Principle of Development
The principle of extending residential facilities in association with the existing residential facilities is considered broadly acceptable and in accordance with Core Policies 1, 2, 13 and 57 of the WCS, subject to a range of site-specific considerations and compliance with policies found within the Development Plan.

Impact on the Character and Appearance of the Area Including Heritage Assets
Core Policy 57 of the WCS seeks to secure a high standard of design in all new developments, including extensions, alterations and changing the use of existing buildings. Among other matters, it requires proposals to be sympathetic to and conserve historic buildings and historic landscapes (iv). Core Policy 58 (iii) states that designated heritage assets, including buildings and structures of special architectural or historic interest, and their settings, will be conserved and where appropriate enhanced in a manner appropriate to their significance.
Paragraph 194 of the NPPF requires the applicant to describe the significance of any heritage asset affected. Significance is defined in Annex 2 of the NPPF as: “The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”.
Paragraph 195 of the NPPF requires the local planning authority to identify and assess the particular significance of any heritage asset that may be affected and take this into account when considering the impact of a proposal.

The National Design Guide (2021) states that “to communicate the benefits of a scheme, it is important to explain how the design of a development relates to context and local character” (Paragraph 44). It adds that “well-designed places and buildings are influenced positively by:
• The history and heritage of the site, its surroundings and the wider area, including cultural influences;
• The significance and setting of heritage assets and any other specific features that merit conserving and enhancing;
• The local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of facades, characteristic materials and details”. (Paragraph 46).
The conservation area by virtue of its designation is significant in heritage terms and
this significance is likely to arise from its aesthetic (fortuitous) value and historical
(illustrative) value. It is noted that there is no adopted Conservation Area Statement for Luckington for proposed development to respect.
The existing dwelling abuts the highway and is considered to be set in a relatively prominent position in regard to the street scene and the Conservation Area. The existing dwelling respects the localities vernacular, using light natural stone walls and natural stone roof tiles. It is noted that other dwellings within the site’s locality use artificial stone roof tiles.

The proposed garden room would be set away from the roadside and views towards the proposal from the roadside would likely be obscured by mature planting and the boundary wall. The proposal would introduce some new materials to the current palette displayed throughout the existing dwelling. The use of vertical timber cladding is considered to be of a high-quality appearance, however, a condition ensuring the timber weathers naturally and remains untreated is considered to be necessary and relevant in this case.
The artificial stone roof tiles would intersect the existing section of the building which uses natural stone roof tiles. It is considered that the use of the artificial stone roof tiles would not give rise to an unacceptable juxtaposition and would present a positive relationship between the two materials.
In light of the above, the proposed development is not considered to harm the significance of the Conservation Area and would instead have a neutral impact. The proposed development would continue to preserve the character and appearance in accordance with Core Policy 58, the NPPF and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on Residential Amenity
Section vii of Core Policy 57 of the WCS refers to the need to protect the amenities of existing occupants and to make sure that appropriate levels of amenity are achievable within the development itself. Additionally, Paragraph 130(f) of the NPPF states planning decisions should create places that are safe, inclusive and accessible. Furthermore, a high standard of amenity for existing and future users is encouraged among other matters.
The proposal would infill the open patio are to the sites southern boundary and would be set around 1.3m away from the neighbouring site. The closest built form to the proposal on the neighbouring site would be a small shed outbuilding which does not appear to be used for residential accommodation. Additionally, the proposed garden room extension is limited to a single storey and therefore does not exert a substantial scale or size. It is considered that the proposal would not give rise to an unacceptable overshadowing or overbearing impact on the neighbouring property to the site's southern boundary. It is noted that no letters of objection were received in response to the scheme from neighbouring occupiers.
In light of the above, the proposal is not considered to result in significant harm in regard to loss of outlook, overbearing or overshadowing on neighbouring properties.

Conclusion
It is concluded that the proposed development is acceptable in principle and in design and amenity terms, in accordance with Wiltshire Core Strategy Core Policies 1, 2, 13, 57 and 58 and the relevant paragraphs of the NPPF.
The proposal accords with the adopted development plan and as such, should be granted permission.

Recommendation
That planning permission be GRANTED subject to the following conditions:

Conditions: (4)

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:

PL001A Site Location Plan
PL002 Existing and Proposed Block Plans
PL003A Existing Site Layout
PL004 Existing Ground Floor Plan
PL005A Existing Elevations
PL006A Proposed Site Layout
PL007A Proposed Ground Floor Plan
PL008A Proposed Elevations
All received 29/06/23

Pl009 Existing and Proposed Roof Plans
Received 18/08/23

REASON: For the avoidance of doubt and in the interests of proper planning.

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the application form and approved plans.

REASON: In the interests of visual amenity and the character and appearance of the area.

4 The cedar cladding hereby approved shall be left untreated to weather naturally.

Reason: To preserve the character and appearance of the conservation area.

Informatives: (3)

5 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

6 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

7 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.